

REMARKS**Status of the Claims**

Claim 5 is pending after entry of this paper. In the *Office Action Summary* the Examiner has indicated that claim 5 is "allowed".

Claims 1-4 and 6-27 have been cancelled. Applicant reserves the right to pursue the subject matter of cancelled claims in continuing applications.

Response to Rejections under 35 U.S.C. § 102

The Examiner has maintained the rejection to Claim 6 under 35 U.S.C. § 102(e), as allegedly being anticipated by U.S. Application Publication No. (US 2003/0233675) to Cao et al. The applicant respectfully disagrees with the Examiner's contentions. However, in order to expedite prosecution and without disclaimer of, or prejudice to, the subject matter recited therein, the applicant has cancelled claim 6.

Reconsideration and withdrawal of the §102(e) rejection is respectfully requested in view of the cancellation of claim 6.

CONCLUSION

Based on the foregoing amendments and remarks, the applicant respectfully requests reconsideration and withdrawal of the pending rejection and allowance of this application. The applicant respectfully submits that the instant application is in condition for allowance. Entry of the amendment and an action passing this case to issue is therefore respectfully requested. In the event that a telephone

conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided. Favorable action by the Examiner is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 4439-4043.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 4439-4043.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 29, 2008

By:



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